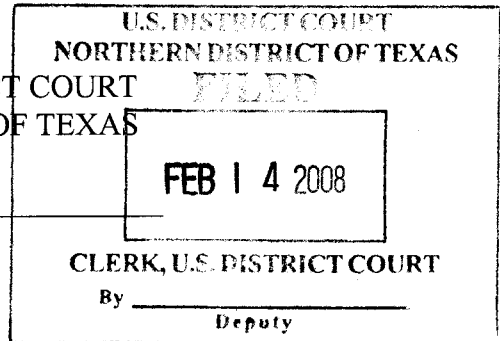


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



TERRY RHODES, PRO SE,  
TDCJ-CID No. 782837,

Plaintiff,

v.

NATHANIEL QUARTERMAN,

Defendant.

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2:07-CV-0125

**ORDER OF DISMISSAL**

Plaintiff TERRY RHODES, while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendant and was granted permission to proceed *in forma pauperis*.

On January 23, 2008, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of the instant cause without prejudice for failure to prosecute.

The period for response has expired, and no objections have been filed by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that the Civil Rights Complaint by plaintiff TERRY RHODES is DISMISSED WITHOUT PREJUDICE FOR FAILURE TO PROSECUTE.

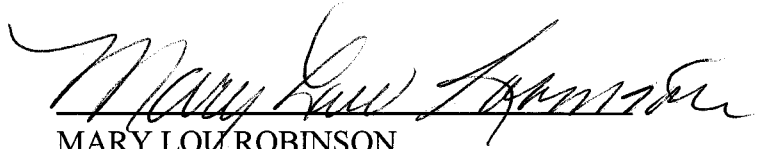
LET JUDGMENT BE ENTERED ACCORDINGLY.

Any pending motions are DENIED.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record.

IT IS SO ORDERED.

ENTERED this 14<sup>th</sup> day of February, 2008.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE